

## **REMARKS**

Claims 29-48 were pending and presented for examination and in this application. In an Office Action dated October 10, 2006, claims 29-48 were rejected. Applicants thank Examiner for examination of the claims pending in this application and addresses Examiner's comments below. Applicants thank examiner for return of their voicemail on January 5, 2007. Although not a formal interview, if necessary, Applicants are incorporating the substance of that exchange per 37 C.F.R. § 1.133 and MPEP § 713.04 into this Amendment and Response.

Applicants are amending claims 29, 36, 43-46 and 48. Applicants are adding new claims 49-51. No claims have been cancelled. These changes are believed not to introduce new matter, and their entry is respectfully requested. In view of the Amendments herein and the Remarks that follow, Applicants respectfully request that Examiner reconsider all outstanding objections and rejections, and withdraw them.

### **Response to Rejection Under 35 USC § 112, Paragraph 2**

In the Office Action, Examiner has rejected claims 29-48 under 35 USC § 112, ¶ 2 as allegedly not specifically pointing out and distinctly claiming the subject matter that the Applicants regard as the invention.

Applicants have amended claim 29 to now recite that the step of generating in the method of the detector device, includes:

. . . generating a response to the request signal to alter communications between the first device and the second device in response to the comparison providing a first result and to not alter communications between the first device and the second device in response to the comparison providing a second result, the detector device allowing the plurality of request signals to pass uninterrupted between the first device and the second device regardless of the first result or the second result in response to the detector device transmitting a non-impedance signal to the first device or the second device, the non-impedance signal transmitted in

response to an operational failure of the detector device, the operational failure comprising a non-functioning operation.

In addition, claim 36 has been amended to now recite that when there is an operational failure in the detector device, the method includes:

in response to an operational failure within the detector device, transmitting from the detector device a non-impedance signal to at least one of the resources to allow data signals to pass uninterrupted between the resources on the network, the operational failure comprising a non-functioning operation.

Further, claim 43 has been amended to now recite that a processing unit in the detector device is configured to execute instructions that, when executed, cause the processing unit, inter alia, to:

transmit a non-impedance signal to the first device or the second device, the non-impedance signal to allow the plurality of request signals to pass uninterrupted between the first device and the second device in response to an operational failure within the detector device, the operational failure comprising a non-functioning operation.

In addition, Applicants also are adding new claims 49-51 corresponding to each of the independent claims. These claims further define examples of the claimed non-impedance signal.

As now recited, the claimed features recite conditions upon which a detector device or its corresponding method is configured with respect to a non-functional operation of the detector device. In particular, the detector device or its corresponding method is configured to permit devices in communication with each other to continue to communicate even when the detector device has non-functional operations. For example, when the detector device is non-functional, it transmits a non-impedance signal to one of the communicating devices, which beneficially informs the communicating devices of the operational failure. Dependent claims 49-51 further describe examples of non-impedance signals that instruct the communicating devices on how to continue communications despite the non-functional operation of the detector device.

Thus, the detector device or its corresponding method as claimed does not impede communications between devices when the detector device has a non-functioning operation. The claimed features are supported by Applicants' specification as filed. (See, e.g., Specification at p. 8, ll. 24-27, p. 10, ll. 19-29, Fig. 2).

In view of the comments noted above and the description in the specification as filed, Applicants respectfully submit that the basis for the rejection may now be withdrawn. Claim 29 through 48, as amended herein, and new claims 49-51 should now be in condition for allowance.

### Conclusion

In view of all prior art rejection having been addressed throughout prosecution of this application and the non-art rejection now addressed, Applicants request allowance of the claims 29-51 at this time. In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,  
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